

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
EASTERN DIVISION

FILED
CLERK'S OFFICE

DAVID FRANCO,
Plaintiff,

vs.

KYTEL INTERNATIONAL GROUP, INC.,
GREGORY KILEY, EDWARD KILEY and
DON BOSCO,
Defendants.

CIVIL ACTION No. 04-CV-12159-GAO

AFFIRMATION OF MATHEW E. HOFFMAN, ESQUIRE

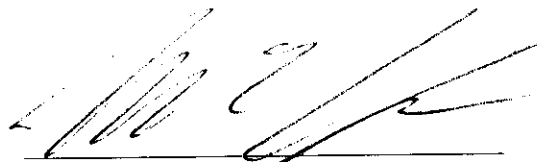
I, Mathew E. Hoffman, do hereby state the following under penalty of perjury:

1. I am over the age of eighteen (18) and I am competent to be a witness and I have personal knowledge of the facts and matters stated in this Affidavit.
2. I am a member of the Bar in good standing in every jurisdiction in which I have been admitted to practice, namely:
 - (a) 1978 – New York State;
 - (b) 1978 - U.S. District Court; Southern District of New York;
 - (c) 1979 - U.S. District Court, Eastern District of New York;
 - (d) 1983 – U.S. Court of Appeals, Second Circuit;
 - (e) 1993 – U.S. Court of Appeals, Seventh Circuit;
 - (f) 2002 – U.S. District Court, Western District of Michigan;
 - (g) 2004 – U.S. Court of Appeals, 11th Circuit
3. There are no disciplinary proceedings pending against me as a member of the Bar in any jurisdiction where I have been admitted to practice or in any other jurisdiction.

4. I am familiar with the Federal Rules of Civil Procedure and with the Local Rules of the United States District Court for the District of Massachusetts.
5. I have never sought *pro hac vice* admission to the United States District Court for the District of Massachusetts and do so now so that I may continue to represent the defendants, who are all New York domiciliaries and whom I have represented for the past 4 years.

I SOLEMNLY AFFIRM under the penalties of perjury and upon personal knowledge that the contents of the foregoing are true.

November 17, 2004
Date


Mathew E. Hoffman, Esquire